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Attorneys for Plaintiff
ELIZABETH ALEXANDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ELIZABETH ALEXANDER,
Plaintiff,

v.

NATIONWIDE LIFE INSURANCE
COMPANY, DOES 1 through 50,
inclusive,
Defendant.

Case No. C-09-01677 CW

**STIPULATION AND ORDER
EXTENDING TIME FOR EXPERT
DISCOVERY AND DISCLOSURE OF
F.R.C.P. 26(a)(2)(B) REPORT BY
DEFENDANT'S REBUTTAL EXPERT
WITNESS**

Assigned Judge: Hon. Claudia Wilken

Trial Date: January 10, 2011

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through
their respective counsel, as follows:

1. The Court's August 17, 2009 Order initially established June 25, 2010, as the
deadline for completion of expert witness discovery. The parties jointly requested that the Court

1 extend the deadline for completion of expert witness discovery to October 12, 2010, to which the
2 Court agreed.

3 2. The trial in this matter is scheduled to begin on January 10, 2011.

4 3. Defendant Nationwide Life Insurance Company filed its Motion for Summary
5 Judgment on June 17, 2010. The Defendant's Motion For Summary Judgment was heard by this
6 Court on August 5, 2010 and was taken under submission by the Court. The Court has not yet
7 issued its decision.

8 4. Due to scheduling conflicts, the parties were unable to schedule the deposition
9 of Plaintiff's expert until October 21, 2010.

10 5. Because Defendant has not yet had the opportunity to take the deposition of
11 Plaintiff's expert witness, the parties agree that the deadline for service of the Rule 26(a)(2)(B)
12 written report by Defendant's rebuttal expert should be extended to 15 days following the date upon
13 which Defendant conducts the deposition of Plaintiff's expert witness.

14 6. The parties further request that the deadline for the completion of expert
15 discovery be extended until December 1, 2010 to permit time for the following: (a) the deposition of
16 Plaintiff's expert witness; (b) Plaintiff's review Defendant's rebuttal expert's written report to be
17 submitted 15 days following the date upon which Defendant conducts the deposition of Plaintiff's
18 expert witness; and, (c) the deposition of Defendant's rebuttal expert.

19 7. The parties stipulate that the foregoing schedule for expert discovery will not
20 prejudice their ability to prepare for trial.

21 Dated: October 4, 2010

/s/ Theodora R. Lee

THEODORA R. LEE

LITTLER MENDELSON, P.C.

Attorneys for Defendant

NATIONWIDE LIFE INSURANCE COMPANY

25 Dated: October 4, 2010

/s/ Michael E. Adams

MICHAEL E. ADAMS

LAW OFFICES OF MICHAEL E. ADAMS

Attorneys for PLAINTIFF

ELIZABETH ALEXANDER

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Filer's Attestation:

I, Theodora R. Lee, am the ECF user whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR EXPERT DISCOVERY AND DISCLOSURE OF F.R.C.P. 26(a)(2)(B) REPORT BY DEFENDANT'S REBUTTAL EXPERT WITNESS. In compliance with General Order 45.X.B, I hereby attest that Michael E. Adams concurs in this filing.

By: /s/ Theodora R. Lee
THEODORA R. LEE

ORDER

1. The deadline for completion of expert discovery is extended to December 1, 2010.

2. The deadline for the service of the Rule 26(a)(2)(B) written report by Defendant's rebuttal expert witness is extended to 15 days following the date upon which Defendant conducts the deposition of Plaintiff's expert witness.

IT IS SO ORDERED.

Dated this 5th day of October, 2010



THE HONORABLE CLAUDIA WILKEN

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